

(2) Existing right-of-way cases where an estimated rental deposit was collected and the right-of-way provided for a subsequent rental determination (basically those issued since November, 1984).

(3) Existing right-of-way grant cases where the holder appealed a rental adjustment and the decision in Northwest (*supra*) applies. The Bureau of Land Management considers a case as having been appealed when an appellant right-of-way holder offered and the Bureau agreed to accept a protest to a rental adjustment in lieu of filing additional appeals to the Office of Hearings and Appeals, Department of the Interior.

(4) Where the rental schedule is used for cases falling under paragraphs (2) and (3) above, the annual rental adjustment shall be applied in determining prior year's rental.

The final rulemaking has adopted the concept of the proposed rulemaking on this point.

Competitive Bidding

Determining fair market value rental through a competitive bidding process is a method used not only in the proposed rulemaking by both private and governmental institutions. The Bureau of Land Management has and is currently using such a method for rights-of-way, principally for wind generation sites. The proposed and final rulemakings provide a procedure under which the authorized officer will, after considering the specific conditions for that case, make a determination on whether to use the competitive bidding procedure. The procedure provided in the proposed and final rulemakings would continue existing Bureau policy and be used only for site type right-of-way grants such as wind farms and communication sites.

While several of the comments supported this provision of the proposed rulemaking, a number of the comments objected to it because of their view that it could be applied to electrical transmission or similar linear facilities. The final rulemaking has adopted a clarifying change that limits its application to site grants.

Other comments objected to the proposed rulemaking because of their view that its provisions could be interpreted to require competitive bidding for all site facilities, including a communication site needed by a holder of a linear grant for the operation of that linear facility. It is extremely unlikely that an application for a site right-of-way grant for a facility related to a linear grant would be subject to a decision to use the competitive bidding system because the Bureau would

normally give a preference to the holder of the linear right-of-way for the needed site. Therefore, the final rulemaking has adopted a change in this provision of the proposed rulemaking that clarifies the point that the holder of a linear right-of-way grant requiring a related right-of-way site will not be required to bid competitively for that site.

One of the comments suggested that final rulemaking should require the successful bidder for a competitively offered right-of-way to state under oath that the site will be used for the purpose set forth in the application. That comment went on to suggest that the final rulemaking should provide that the rental fee for the grant, if such fee is based on a percentage of production, would not be raised during the initial period of the grant. Existing regulations and Bureau of Land Management procedures are adequate to cover the first issue raised by this comment, while the second issue will be covered by the terms and conditions of the right-of-way grant. The final rulemaking has not adopted these suggestions.

The final rulemaking has adopted the provisions of the proposed rulemaking covering competitive bidding with only minor clarification changes.

Needed editorial, technical and grammatical changes have been made by the final rulemaking.

The principal author of this final rulemaking is Theodore Bingham, Division of Rights-Of-Way, Bureau of Land Management, assisted by the staff of the Division of Legislation and Regulatory Management, Bureau of Land Management.

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291 and that it will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

The changes made by this final rulemaking will not, when the rental payments for all rights-of-way grants and temporary use permits are considered, substantially increase the payments made by holders/permittees.

The changes made by the final rulemaking should make the rental procedures used by the Bureau of Land Management more efficient and equitable, while more accurately assessing receipt of fair market value. The changes made by this final rulemaking will be equally applicable to all entities that receive right-of-way grants or temporary use permits from the Bureau of Land Management for use of Federal lands for such right-of-way purposes.

There are no additional information collection requirements in this final rulemaking requiring approval of the Office of Management and Budget under 44 U.S.C. 3507.

List of Subjects

43 CFR Part 2800

Administrative practice and procedure, Communications, Electric power, Highways and roads, Pipelines, Public lands—rights-of-way.

43 CFR Part 2880

Administrative practice and procedure, Common carriers, Oil and gas industry, Pipelines, Public lands—rights-of-way.

Under the authority of title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761-1771) and section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Parts 2800 and 2880, Group 2800, Subchapter B, Chapter II of Title 43 of the Code of Federal Regulations is amended as set forth below.

J. Steven Griles,

Assistant Secretary of the Interior.

May 1, 1987.

PART 2800—[AMENDED]

1. The authority citation for Part 2800 continues to read:

Authority: 43 U.S.C. 1761-1771.

2. Section 2803.1-2 is revised to read:

§ 2803.1-2 Rental.

(a) The holder of a right-of-way grant or temporary use permit shall pay annually, in advance, except as provided in paragraph (b) of this section, the fair market rental value as determined by the authorized officer applying sound business management principles and, so far as practicable and feasible, using comparable commercial practices. Annual rent billing periods shall be set or adjusted to coincide with the calendar year (January 1 through December 31) by proration on the basis of 12 months; the initial month shall not be counted for right-of-way grants or temporary use permits having an anniversary date of the 15th or later in the month and the terminal month shall not be counted if the termination date is the 14th or earlier in the month. Rental shall be determined in accordance with the provisions of paragraph (c) of this section; provided, however, that the minimum rental under paragraph (c)(1) shall not be less than the annual payment required by the schedule for 1 acre; provided, further, that in those instances where the annual payment is

\$100 or less, the authorized officer may require an advance lump sum payment for 5 years.

(b)(1) No rental shall be collected where:

(i) The holder is a Federal, State or local government or agency or instrumentality thereof, except municipal utilities and cooperatives whose principal source of revenue is customer charges;

(ii) The right-of-way was issued pursuant to a statute that did not or does not require the payment of rental; or

(iii) The facilities constructed on a site or linear right-of-way are or were financed in whole or in part under the Rural Electrification Act of 1936, as amended, or are extensions from such Rural Electrification Act financed facilities.

(2) The authorized officer may reduce or waive the rental payment under the following instances:

(i) The holder is a nonprofit corporation or association which is not controlled by or is not a subsidiary of a profit making corporation or business enterprise;

(ii) The holder provides without charge, or at reduced rates, a valuable benefit to the public or to the programs of the Secretary;

(iii) The holder holds an outstanding permit, lease, license or contract for which the United States is already receiving compensation, except under an oil and gas lease where the lessee is required to secure a right-of-way grant or temporary use permit under part 2880 of this title; and:

(A) Needs a right-of-way grant or temporary use permit within the exterior boundaries of the permit, lease, license or contract area; or

(B) Needs a right-of-way across the public lands outside the permit, lease, license or contract area in order to reach said area;

(iv) With the concurrence of the State Director, the authorized officer, after consultation with an applicant/holder, determines that the requirement to pay the full rental will cause undue hardship on the holder/applicant and that it is in the public interest to reduce or waive said rental. In order to complete such consultation, the State Director may require the applicant/holder to submit data, information and other written material in support of a proposed finding that the right-of-way grant or temporary use permit qualifies for a reduction or waiver of rental; and

(v) A right-of-way involves a cost share road or reciprocal right-of-way agreement not subject to part 2812 of this title. Any fair market value rental required to be paid under this paragraph

(b)(2)(v) shall be determined by the proportion of use.

(c)(1)(i) Except for those linear right-of-way grants or temporary use permits that the authorized officer determines under paragraph (c)(1)(v) of this section to require an individual appraisal, an applicant shall, prior to the issuance of a linear right-of-way grant or temporary use permit, submit an annual rental payment in advance for such right-of-way grant or temporary use permit in accordance with the following schedule:

PER ACRE RENTAL FEE ZONE VALUE

Zone value	Oil and gas and other energy related pipelines, roads, ditches and canals	Electric transmission lines, telephone electric distribution, non-energy related pipelines, and other linear rights-of-way
\$50	\$2.56	\$2.24
100	5.13	4.49
200	10.26	8.97
300	15.38	13.46
400	20.51	17.95
500	25.64	22.44
600	30.77	26.92
1,000	51.28	44.87

(The values are based on zone value \times impact adjustment \times interest rate (6.41—1-year Treasury Securities "Constant Maturity" rate for June 30, 1986. The rate will remain constant except as provided in subparagraphs (i) and (iii) of this section.)

A per acre rental schedule by State, County, and type of linear right-of-way use, which will be updated annually, is available from any Bureau State or District office or may be obtained by writing: Director (330), Bureau of Land Management, Room 3660, Main Interior Bldg., 1800 C Street NW., Washington, DC 20240.

(ii) The schedule will be adjusted annually by multiplying the current year's rental per acre by the annual change, second quarter to the second quarter (June 30 to June 30), in the Gross National Product Implicit Price Deflator Index as published in the *Survey of Current Business* of the Department of Commerce, Bureau of Economic Analysis.

(iii) At such times as the cumulative change in the index used in paragraph (c)(1)(ii) of this section exceeds 30 percent or the change in the 3-year average of the 1-year interest rate exceeds plus or minus 50 percent, the zones and rental per acre figures shall be reviewed to determine whether market and business practices have

differed sufficiently from the index to warrant a revision in the base zones and rental per acre figures. Measurements shall be taken at the end of the second quarter (June 30) of the year beginning with calendar year 1986. The initial bases (June 30, 1986) for these two indexes are: Gross National Product Price Implicit Price Deflator Index was 114.0 and the 3-year average of the 1-year Treasury interest rate was 8.86%.

(iv) Rental for the ensuing calendar year for any single right-of-way grant or temporary use permit shall be the rental per acre from the current schedule times the number of acres embraced in the grant or permit, rounded to the nearest whole dollar, unless such rental is reduced or waived as provided in paragraph (b)(2) of this section.

(v) The authorized officer shall use the fee schedule unless the authorized officer determines:

(A) A substantial segment or area within the right-of-way exceeds the zone(s) value by a factor of 10; and

(B) In the judgment of the authorized officer, the expected valuation is sufficient to warrant a separate appraisal.

Once the rental for a right-of-way grant has been determined by use of the rental schedule, the provisions of this subparagraph shall not be used as a basis for removing it from the schedule.

(2)(i) Existing linear right-of-way grants and temporary use permits may be made subject to the schedule provided by this paragraph upon reasonable notice to the holder. The notice shall provide the reasons for making the right-of-way subject to the schedule.

(ii) Where the new annual rental exceeds \$100 and is more than a 100 percent increase over the current rental, the amount of increase in excess of the 100 percent increase shall be phased in by equal increments, plus the annual adjustment, over a 3-year period.

(3)(i) The rental for linear right-of-way grants and temporary use permits not covered by the schedule set out above in this paragraph, including those determined by the authorized officer to require an individual appraisal under paragraph (c)(1)(v) of this section. And for non-linear-right-of-way grants and temporary use permits (e.g., communications sites, reservoir sites, plant sites and storage sites) shall be determined by the authorized officer and paid annually in advance. Said rental shall be based on either a market survey of comparable rentals, or on a value determination for specific parcels or groups of parcels unless such rental is

reduced or waived as provided in paragraph (b) of this section. All such rental determinations shall be prepared to the standards and format described in the Uniform Appraisal Standards for Federal Land Acquisition (Department of Justice publication) and/or in certain cases as required by the Bureau's Appraisal manual (9300). Where the authorized officer determines that a competitive interest exists for site type right-of-way grants such as wind farms, communications sites, etc., rental may be determined through competitive bidding procedures set out in § 2803.1-3 of this title.

(ii) To expedite the processing of any grant or permit covered by paragraph (c)(3) of this section, the authorized officer may estimate rental and collect a deposit in advance with the agreement that upon completion of a rental value determination, the advance deposit shall be adjusted according to the final fair market rental value determination.

(4) Decisions on rental determinations are subject to appeal under subpart 2804 of this title.

(5) Upon the holder's written request, rentals may be prepaid for 5 years in advance.

(d) If the rental required by this section is not paid when due, and such default for nonpayment default continues for 30 days after notice, action may be taken to terminate the right-of-way grant or temporary use permit. After default has occurred, no structures, buildings or other equipment may be removed from the subservient lands except upon written permission from the authorized officer.

3. Sections 2803.1-3 and 2803.1-4 are redesignated §§ 2803.1-4 and 2803.1-5, respectively.

4. A new § 2803.1-3 is added to read:

§ 2803.1-3 Competitive bidding.

(a) The authorized officer may identify and offer public lands for competitive right-of-way use either on his/her own motion or as a result of nomination by the public. Competitive bidding shall be used only for site-type right-of-way grants such as wind farms and communication sites. The authorized officer shall give public notice of such decision through publication of a notice of realty action as provided in paragraph (c)(1) of this section. The decision to offer public lands for competitive right-of-way use shall conform to the requirements of the Bureau's land use planning process. The authorized officer shall not offer public lands for competitive right-of-way use where equities such as prior or related use of said lands warrant issuance of a noncompetitive right-of-way grant(s).

(b) A right-of-way grant issued pursuant to a competitive offer shall be awarded on the basis of the public benefit to be provided, the financial and technical capability of the bidder to undertake the project and the bid offer. Each bid shall be accompanied by the information required by the notice of realty action and a statement over the signature of the bidder or anyone authorized to sign for the bidder that he/she is in compliance with the requirements of the law and these regulations. A bid of less than the fair market rental value of the lands offered shall not be considered.

(c) The offering of public lands for right-of-way use under competitive bidding procedures shall be conducted in accordance with the following:

(1)(i) A notice of realty action indicating the availability of public lands for competitive right-of-way offering shall be published in the **Federal Register** and at least once a week for 3 consecutive weeks in a newspaper of general circulation in the area where the public lands are situated or in such other publication as the authorized officer may determine. The successful qualified bidder shall, prior to the issuance of the right-of-way grant, pay his/her proportionate share of the total cost of publication.

(ii) The notice of realty action shall include the use proposed for the public lands and the time, date and place of the offering, including a description of the lands being offered, terms and conditions of the grant(s), rates, bidding requirements, payment required, where bid forms may be obtained, the form in which the bids shall be submitted and any other information or requirements determined appropriate by the authorized officer.

(2) Bids may be made either by a principal or duly qualified agent.

(3) All sealed bids shall be opened at the time and date specified in the notice of realty action, but no bids shall be accepted or rejected at that time. The right to reject any and all bids is reserved. Only those bids received by the close of business on the day prior to the bid opening or at such other time stated in the notice of realty action and made for at least the minimum acceptable bid shall be considered. Each bid shall be accompanied by U.S. currency or certified check, postal money order, bank draft or cashier's check payable in U.S. currency and made payable to the Department of the Interior—Bureau of Land Management for not less than one-fifth of the amount of the bid, and shall be enclosed in a sealed envelope which shall be marked as prescribed in the notice of realty

action. If 2 or more envelopes containing valid bids of the same amount are received, the determination of which is to be considered the highest bid shall be by drawing unless another method is specified in the notice of realty action. The drawing shall be held by the authorized officer immediately following the opening of the sealed bids.

(4) In the event the authorized officer rejects the highest qualified bid or releases the bidder from such bid, the authorized officer shall determine whether the public lands involved in the offering shall be offered to the next highest bidder, withdrawn from the market or reoffered.

(5) If the highest qualified bid is accepted by the authorized officer, the grant form(s) shall be forwarded to the qualifying bidder for signing. The signed grant form(s) with the payment of the balance of the first year's rental and the publication costs shall be returned within 30 days of its receipt by the highest qualified bidder and shall qualify as acceptance of the right-of-way grant(s).

(6) If the successful qualified bidder fails to execute the grant form(s) and pay the balance of the rental payment and the costs of publication within the allowed time, or otherwise fails to comply with the regulations of this subpart, the one-fifth remittance accompanying the bid shall be forfeited.

§ 2803.6-3 [Amended]

5. Section 2803.6-3 is amended by removing from where it appears in the next to last sentence the phrase "plus any additional terms and conditions and any special stipulations that the authorized officer may impose" and adding at the end of the section a new sentence "The authorized officer may, at the time of approval of the assignment, modify or add bonding requirements."

6. Section 2803.6-4 is revised to read:

§ 2803.6-4 Reimbursement of costs for assignments.

(a) All filings for assignments, except as provided in paragraph (b) of this section, made pursuant to this section shall be accompanied by a non-refundable payment of \$50 from the assignor. Exceptions for a nonrefundable payment for an assignment are the same as in § 2803.1 of this title.

(b) Where a holder assigns more than 1 right-of-way grant as a single action, the authorized officer may, due to economies of scale, set a nonrefundable fee of less than \$50 per assignment.

PART 2880—[AMENDED]

7. The authority citation for Part 2880 continues to read:

Authority: 30 U.S.C. 185, unless otherwise noted.

§ 2881.1-1 [Amended]

8. Section 2881.1-1(g) is amended by removing the period at the end of the last sentence thereof and adding the phrase ", except that where a holder assigns more than 1 right-of-way grant as part of a single action, the authorized officer, due to economies of scale, may set a fee of less than \$50 per assignment."

§ 2881.2 [Amended]

9. Section 2881.2 is amended by removing paragraph (a)(2) in its entirety and redesignating the existing paragraphs (a) (3), (4), and (5) as paragraphs (a) (2), (3), and (4), respectively.

§ 2883.1-2 [Amended]

10. Section 2883.1-2 is amended by removing from where it appears the citation "§ 2803.1-2(c)" and replacing it with the citation "§ 2803.1-2(b)".

Linear Rights-of-Way Rental Schedule

Note.—The following schedule is printed for information and will not appear in Title 43 of the Code of Federal Regulations.

[Dollars/Acre/Year]		
State and county	Oil and gas, other energy pipelines, roads, ditches, and canals	Electric lines, telephone lines, nonenergy pipelines, other linear rights-of-way
Alabama: All counties.....	\$20.51	\$17.95
Arizona:		
Apache.....	5.13	4.49
Coconino, north of the Colorado River		
Cochise		
Gila		
Graham		
La Paz		
Mohave		
Navajo		
Pima		
Yavapai		
Yuma		
Coconino, south of the Colorado River.....	20.51	17.95
Greenlee		
Maricopa		
Pinal		
Santa Cruz		
Arkansas: All counties.....	15.38	13.46
California:		
Imperial.....	10.26	8.97
Inyo		
Lassen		
Modoc		
Riverside		
San Bernardino		
Siskiyou.....	15.38	13.46
Alameda.....	25.64	22.44
Alpine		
Amador		

[Dollars/Acre/Year]		
State and county	Oil and gas, other energy pipelines, roads, ditches, and canals	Electric lines, telephone lines, nonenergy pipelines, other linear rights-of-way
Butte		
Calaveras		
Colusa		
Contra Costa		
Del Norte		
El Dorado		
Fresno		
Glenn		
Humboldt		
Kern		
Kings		
Lake		
Madera		
Mariposa		
Mendocino		
Merced		
Mono		
Napa		
Nevada		
Placer		
Plumas		
Sacramento		
San Benito		
San Joaquin		
Santa Clara		
Shasta		
Sierra		
Solano		
Sonoma		
Stanislaus		
Sutter		
Tehama		
Toulumne		
Trinity		
Tulare		
Yolo		
Yuba		
Los Angeles.....	30.77	26.92
Marin		
Monterey		
Orange		
San Diego		
San Francisco		
San Luis Obispo		
San Mateo		
Santa Barbara		
Santa Cruz		
Ventura		
Colorado:		
Adams.....	5.13	4.49
Arapahoe		
Bent		
Cheyenne		
Crowley		
Elbert		
El Paso		
Huerfano		
Kiowa		
Kit Carson		
Lincoln		
Logan		
Moffat		
Montezuma		
Morgan		
Pueblo		
Phillips		
Sedgewick		
Washington		
Weld		
Yuma		
Baca.....	10.26	8.97
Dolores		
Garfield		
Las Animas		
Mesa		
Montrose		
Otero		
Prowers		
Rio Blanco		
Routt		
San Miguel		
Alamosa.....	20.15	17.95
Archuleta		
Boulder		
Chaffee		
Clear Creek		
Conejos		
Costilla		
Custer		
Delta		
Denver		
Douglas		
Eagle		
Fremont		
Gilpin		
Grand		
Gunnison		
Hinsdale		
Jackson		
Jefferson		
Lake		
La Plata		
Larimer		
Mineral		
Ouray		
Park		
Pitkin		
Rio Grande		
Saguache		
San Juan		
Summit		
Teller		
Connecticut: All counties.....	5.13	4.49
Delaware: All counties.....	5.13	4.49
Florida:		
Baker.....	30.77	26.92
Bay		
Bradford		
Calhoun		
Clay		
Columbia		
Dixie		
Duval		
Escambia		
Franklin		
Gadsden		
Gilchrist		
Gulf		
Hamilton		
Holmes		
Jackson		
Jefferson		
Lafayette		
Leon		
Liberty		
Madison		
Nassau		
Okaloosa		
Santa Rosa		
Suwannee		
Taylor		
Union		
Wakulla		
Walton		
Washington		
All other counties.....	51.28	44.87
Georgia: All counties.....	30.77	26.92
Idaho:		
Cassia.....	5.13	4.49
Gooding		
Jerome		
Lincoln		
Mindoka		
Oneida		
Owyhee		
Power		
Twin Falls		
Ada.....	15.38	13.46
Adams		
Bannock		
Bear Lake		
Benewah		
Bingham		
Blaine		
Boise		
Bonner		
Bonneville		
Boundary		
Butte		
Camas		

[Dollars/Acre/Year]			[Dollars/Acre/Year]			[Dollars/Acre/Year]		
State and county	Oil and gas, other energy pipelines, roads, ditches, and canals	Electric lines, telephone lines, nonenergy pipelines, other linear rights-of-way	State and county	Oil and gas, other energy pipelines, roads, ditches, and canals	Electric lines, telephone lines, nonenergy pipelines, other linear rights-of-way	State and county	Oil and gas, other energy pipelines, roads, ditches, and canals	Electric lines, telephone lines, nonenergy pipelines, other linear rights-of-way
Canyon			Valley			Oklahoma:		
Caribou			Wheatland			Beaver.....	10.26	8.97
Clark			Wibaux			Cimmaron		
Clearwater			Yellowstone			Roger Mills		
Custer			Beaverland.....	15.38	13.46	Texas		
Elmore			Broadwater			Le Flore.....	15.38	13.46
Franklin			Carbon			McCurtain		
Fremont			Deer Lodge			All other counties.....	5.13	4.49
Gem			Flathead			Oregon:		
Idaho			Gallatin			Harney.....	5.13	4.49
Jefferson			Granite			Lake		
Kootenai			Jefferson			Malheur		
Latah			Lake			Baker.....	10.26	8.97
Lemhi			Lewis and Clark			Crook		
Lewis			Lincoln			Deschutes		
Madison			Madison			Gilliam		
Nez Perce			Mineral			Grant		
Payette			Missoula			Jefferson		
Shoshone			Park			Klamath		
Teton			Powell			Morrow		
Valley			Ravalli			Sherman		
Washington			Sanders			Umatilla		
Illinois: All counties.....	15.38	13.46	Silver Bow			Union		
Indiana: All counties.....	25.64	22.44	Stillwater			Wallowa		
Iowa: All counties.....	15.38	13.46	Sweet Grass			Wasco		
Kansas:			Nebraska: All counties.....	5.13	4.49	Wheeler		
Morton.....	10.26	8.97	Nevada:			Coos.....	15.38	13.46
All other counties.....	5.13	4.49	Churchill.....	2.56	2.24	Curry		
Kentucky: All counties.....	15.38	13.46	Clark			Douglas		
Louisiana: All counties.....	30.77	26.92	Elko			Jackson		
Maine: All counties.....	15.38	13.46	Esmeralda			Josephine		
Maryland: All counties.....	5.13	4.49	Eureka			Benton.....	20.51	17.95
Massachusetts: All counties.....	5.13	4.49	Humboldt			Clackamas		
Michigan:			Lander			Clatsop		
Alger.....	15.38	13.46	Lincoln			Columbia		
Baraga			Lyon			Hood River		
Chippewa			Mineral			Lane		
Delta			Nye			Lincoln		
Dickinson			Pershing.....			Linn		
Gogebic			Washoe			Marion		
Houghton			White Pine			Multnomah		
Iron			Carson City.....	25.64	22.44	Polk		
Keweenaw			Douglas			Tillamook		
Luce			Story			Washington		
Mackinac			New Hampshire: All counties.....	15.38	13.46	Yamhill		
Marquette			New Jersey: All counties.....	5.13	4.49	Pennsylvania: All counties.....	20.51	17.95
Menominee			New Mexico:			Puerto Rico: All.....	30.77	26.92
Ontonagon			Chaves.....	5.13	4.49	Rhode Island: All counties.....	5.13	4.49
Schoolcraft			Curry			South Carolina: All counties.....	30.77	26.92
All other counties.....	20.51	17.95	De Baca			South Dakota:		
Minnesota: All counties.....	15.38	13.46	Dona Ana			Butte.....	15.38	13.46
Mississippi: All counties.....	20.51	17.95	Eddy			Custer		
Missouri: All counties.....	15.38	13.46	Grant			Fall River		
Montana:			Guadalupe			Lawrence		
Big Horn.....	5.13	4.49	Harding			Meade		
Blaine			Hidalgo			Pennington		
Carter			Lea			All other counties.....	5.13	4.49
Cascade			Luna			Tennessee: All counties.....	20.51	17.95
Chouteau			McKinley			Texas:		
Custer			Otero			Culberson.....	5.13	4.49
Daniels			Quay			El Paso		
Dawson			Rossvell			Hudspeth		
Fallon			San Juan			All other counties.....	30.77	26.92
Fergus			Socorro			Utah:		
Garfield			Torrence			Beaver.....	5.13	4.49
Glaicer			Rio Arriba.....	10.26	8.97	Box Elder		
Golden Valley			Sandoval			Carbon		
Hill			Union			Duchesne		
Judith Basin			Bernalillo.....	20.51	17.95	Emery		
Liberty			Catron			Garfield		
McCone			Cibola			Grand		
Meagher			Colfax			Iron		
Musselshell			Lincoln			Jaub		
Petroleum			Los Alamos			Kane		
Phillips			Mora			Millard		
Pondera			San Miguel			San Juan		
Powder River			Santa Fe			Tooele		
Prairie			Sierra			Unitah		
Richland			Taos			Wayne		
Roosevelt			Valencia			Washington.....	10.16	8.97
Rosebud			New York: All counties.....	20.51	17.95	Cache.....	15.38	13.46
Sheridan			North Carolina: All counties.....	30.77	26.92	Daggett		
Teton			North Dakota: All counties.....	5.13	4.49	Davis		
Toole			Ohio: All counties.....	20.51	17.95	Morgan		
Treasure						Piute		

[Dollars/Acre/Year]			[Dollars/Acre/Year]			[Dollars/Acre/Year]		
State and county	Oil and gas, other energy pipelines, roads, ditches, and canals	Electric lines, telephone lines, nonenergy pipelines, other linear rights-of-way	State and county	Oil and gas, other energy pipelines, roads, ditches, and canals	Electric lines, telephone lines, nonenergy pipelines, other linear rights-of-way	State and county	Oil and gas, other energy pipelines, roads, ditches, and canals	Electric lines, telephone lines, nonenergy pipelines, other linear rights-of-way
Rich			Yakima			Big Horn		
Salt Lake			Ferry.....	15.38	13.46	Campbell		
Sanpete			Pend Oreille			Carbon		
Sevier			Stevens			Converse		
Summit			Clallam.....	20.51	17.95	Fremont		
Utah			Clark			Goshen		
Wasatch			Cowlitz			Johnson		
Weber			Grays Harbor			Laramie		
Vermont: All counties.....	20.51	17.95	Island			Lincoln		
Virginia: All counties.....	20.51	17.95	Jefferson			Natrona		
Washington:			King			Niobrara		
Adams.....	10.26	8.97	Kitsap			Platte		
Asotin			Lewis			Sheridan		
Benton			Mason			Sublette		
Chelan			Pacific			Sweetwater		
Columbia			Pierce			Uinta		
Douglas			San Juan			Washakie	15.38	13.46
Franklin			Skagit			Crook		
Garfield			Skamania			Hot Springs		
Grant			Snohomish			Park		
Kittitas			Thurston			Weston		
Klickitat			Wahkiakum			Teton		
Lincoln			Whatcom					
Okanagan			West Virginia: All counties.....	20.51	17.95			
Spokane			Wisconsin: All counties.....	15.38	13.46			
Walla Walla			Wyoming:					
Whitman			Albany.....	5.13	4.49			

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